

875—35.3(91A) Filing a claim.

35.3(1) *Wage claim form.* A wage claim form shall be available upon request. An aggrieved employee shall supply such information as required by the commissioner to commence the investigation of a claim. The claimant shall certify by signature that such information is true to the best of the claimant's knowledge and belief. A claim for wages shall be made by submitting a complete wage claim form to Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319.

35.3(2) *Assignment of claim.* By submitting a wage claim form to the division, a claimant assigns the claim to the commissioner contingent on the commissioner's determination that the claim is enforceable. A claimant may terminate the assignment by so notifying the division in writing. The commissioner may terminate the assignment upon a determination that the claim is not enforceable.

35.3(3) *Denial of claim.* The commissioner may deny claims within 14 days of receipt. Reasons for denying a claim without further investigation include, but are not limited to, the following:

- a.* The claim is received by the division more than one year after the date the wages became due and payable.
- b.* The claim must be heard in another forum or jurisdiction.
- c.* The claimant has begun a legal proceeding on the claim or has legal representation to pursue the claim.
- d.* The claim has been discharged in bankruptcy.
- e.* The claimant is not a resident of Iowa when submitting the claim to the division.